

#### Members

Rep. Mae Dickinson, Chairperson  
Rep. David Orentlicher  
Rep. Vaneta Becker  
Rep. David Frizzell  
Sen. Patricia Miller  
Sen. Greg Server  
Sen. Connie Sipes  
Sen. Timothy Skinner



## FSSA EVALUATION COMMITTEE

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Authority: P.L. 197-2003

### MEETING MINUTES<sup>1</sup>

**Meeting Date:** August 30, 2004  
**Meeting Time:** 10:30 A.M.  
**Meeting Place:** State House, 200 W. Washington St.,  
156B  
**Meeting City:** Indianapolis, Indiana  
**Meeting Number:** 1

**Members Present:** Rep. Mae Dickinson, Chairperson; Rep. David Orentlicher; Rep. Vaneta Becker; Sen. Patricia Miller; Sen. Greg Server; Sen. Timothy Skinner.

**Members Absent:** Sen. Connie Sipes; Rep. David Frizzell.

Rep. Mae Dickinson, Chairperson, called the meeting to order at 10:40 am. She asked the members of the Committee to introduce themselves.

#### Presentation of Report

Rep. Dickinson called on Ms. Karen Firestone, Legislative Services Agency (LSA), to present information contained in an LSA evaluation entitled "Issues Relating to the Organizational Structure of the Office of the Secretary of Family and Social Services." Ms. Firestone provided handouts of the slide presentation (Exhibit A) and discussed the major features of the evaluation required by P.L. 197 of 2003. Included in this presentation was discussion of the statutory structure of the Office of the Secretary of Family and Social Services and the divisions that provide human services. The evaluation of the organizational structure was separated into five areas of review, including the continuity of leadership, management efficiency, interagency communications, fiscal accountability, and budget.

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<sup>1</sup> Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

### **Questions and Comments**

Sen. Patricia Miller asked whether consumers of human services programs were interviewed for the evaluation. Ms. Firestone explained several factors that limited access to representative samples of consumers and evaluation of organizational structure. Sen. Miller indicated that consumers would know if structure was functioning to provide service. Additionally, she discussed concerns that staff at FSSA responsible for programs did not understand the programs.

Mr. John Priore, National Alliance for the Mentally Ill (NAMI), was recognized by the chair. Mr. Priore said that FSSA is not organized properly to deliver services and that the agency should be divided along functional lines rather than by client populations. He said that adjustments to provide services in the community had not been made as required in the *Olmstead* decision.

Mr. Mike Kempf, NAMI, discussed problems his son had in receiving reimbursement of his pay-down. Mr. Kempf opined that there was no complaint tracking system at the state level and that there should be a reporting system. He also said that many consumers cannot articulate problems for themselves and must rely on family. He indicated that discussing services with family may provide insight into problems.

In response to a question from Rep. David Orentlicher, Ms. Firestone indicated that the LSA survey of advocates and providers did not provide information about individual divisions, although questions were asked on the survey to identify most frequent point of contact. Sen. Miller asked if each division had a telephone number published that would lead to a person rather than voice mail or an automatic answering system. Ms. Firestone responded that answers on the survey would indicate that having a contact within FSSA was important and that leaving a message could delay a response.

Sen. Greg Server asked whether other states are happy with their programs. Ms. Firestone indicated that there are difficulties in making comparisons to other states including other states that configure human services agencies differently. Sen. Server compared the organizational structure of FSSA with changes that have occurred in schools, saying that in the past small schools were the trend, then the trend was toward very large schools, and now there is a movement back to smaller schools. He suggested that it may be time to change from a larger administration to smaller agencies.

### **FSSA Response**

Ms. Cindy Collier, Director, Division of Policy, Planning, and Communication, FSSA, was recognized. Ms. Collier stated that the agency was big given that it serves one in six Hoosiers. She indicated that the report has some good comments for FSSA such as the divisions needing to work more closely together. Ms. Collier indicated that despite decreases in staff and budget, FSSA serves more people. Also, she said that FSSA is working on a tracking system for complaints received.

Sen. Timothy Skinner asked Ms. Collier if FSSA conducts exit interviews with employees leaving state service or retiring and whether, in Ms. Colliers opinion, there is a “smoking gun” reason for employee departures. FSSA does conduct interviews, and Ms. Collier felt that money, including early retirement incentives, were the primary reason. In part of her response, Ms. Collier indicated that the number of case workers has increased by 5% in recent years. Also, as a result of the Secretary visiting field offices, caseworkers were given wordpads to work on paperwork during long waits in court or other similar situations.

**Public Comment**

Rep. Dickinson asked if anyone in the audience would like to respond to the report.

Mr. Jim Leich, Indiana Association of Homes and Services for the Aging, said that he had been with LSA at the time that FSSA was created and that he had two observations concerning the structure. His first point was that the secretary position was not strong enough and that the divisions have too much autonomy. His second point was that the secretary did not have enough "tools" to complete the assigned job. He said that there was no coordination among the divisions.

Mr. A.G. Klein offered testimony concerning his frustration over trying to get waiver services for his son who had been in an automobile accident. Mr. Klein indicated that his son had qualified for the traumatic brain injury (TBI) waiver, but not the developmental disability waiver, and that he was turned down for services because of funding issues with the TBI waiver. As Mr. Klein attempted to find out what to do, he has been unable to figure out how the system works. In response to a question from Sen. Server, Mr. Klein indicated that the people he had spoken with at FSSA were no longer with the agency.

Ms. Jean MacDonald, Indiana Association for Home and Hospice Care, discussed a problem where EDS (Medicaid claims processing provider) and the Office of Medicaid Policy and Planning had issued protocols in a bulletin concerning a waiver program. Other contacts at FSSA were not aware of these protocols. In another example, Ms. MacDonald indicated that she was part of a committee working on rules for a waiver, but that the published rules did not do what the committee had recommended and the rules had legal problems. The group pointed out the problems to FSSA and there was a redraft, but the redraft was not shared prior to the rules being sent to the Attorney General for review.

Mr. Priore rose again to disagree with FSSA's assertion that it is serving more people with less money and staff. He indicated that people have been taken off of the rolls. This led to a discussion about the implementation of SB 493 between Rep. Vaneta Becker and Annette Biesecker, Legislative Director, FSSA, concerning funding of waiver programs and the CHOICE program.

**Conclusion**

Ms. Firestone reminded the Committee that the FSSA organizational structure in statute will sunset on January 1, 2006.

Rep. Dickinson asked that FSSA look into Mr. Klein's case.

The next meeting was scheduled for Monday, September 27, 2004, at 10:30 am.

The meeting adjourned at 12:50 pm.